

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
)	
v.)	Cr. No. 01-10384-MLW
)	
GARY LEE SAMPSON)	

ORDER

WOLF, D.J.

April 21, 2010

The government does not object to petitioner's filing of the Amended §2255 Motion, is not presently seeking to strike any portion of the Amended §2255 Motion, but reserves the right to assert arguments arising out of the statute of limitations at a later time. The court is, therefore, ordering the parties to complete briefing related to the Request for Summary Dismissal on a schedule that will permit the court to prepare for hearings that will commence on August 23, 2010. The court understands that this will involve: (1) the government replying to petitioner's partial opposition to the Request for Summary Dismissal; and (2) the government supplementing its Request for Summary Dismissal, to be followed by an opportunity for petitioner to file the remainder of his opposition and for the government to reply.

Accordingly, it is hereby ORDERED that:

1. Petitioner's Motions for Leave to File Memoranda in Excess of Twenty Pages (Docket Nos. 1030 & 1031) and Motions to Seal (Docket Nos. 1032 & 1033) are ALLOWED. To the extent leave of

court is required to file the Amended §2255 Motion under either the current or prior version of Federal Rule of Civil Procedure 15, such leave is given.

2. The government's Motion to Seal Supplemental Response to Order of March 1, 2010 (Docket No. 1038) is ALLOWED.

3. By May 3, 2010, the government shall reply to petitioner's Partial Opposition to the Government's Request for Summary Dismissal.

4. By May 24, 2010, the government shall respond to the Amended §2255 Motion. Petitioner shall file his opposition by June 25, 2010, and the government shall file any reply by July 16, 2010. It is unlikely that any request for an extension of these deadlines will be granted because the court needs sufficient time to prepare for the hearings that will begin on August 23, 2010, and continue from day to day until concluded.

/s/ Mark L. Wolf
UNITED STATES DISTRICT JUDGE